

REMARKS

In accordance with the foregoing, the specification has been amended. Claims 1-30 are pending, with claims 1, 19, and 23 being independent. No new matter is presented in this Supplemental Amendment.

Applicants' Statement of Substance of Interview

A personal interview was conducted on January 15, 2009, between the Examiner, Nathan E. Price; Primary Examiner Li B. Zhen of Art Unit 2194, the Examiner's art unit; and the undersigned attorney, Randall S. Svihla. At the conclusion of the interview, Messrs. Price and Zhen provided the attorney with an Interview Summary stating as follows:

Claims discussed: 1, 19, 23 and 29

Identification of prior art discussed: Sullivan and Kanazawa

Agreement with respect to the claims was reached.

Substance of interview: Applicant's response regarding the prior art rejection is persuasive. Amendment to claim 19 to recite an "electronic component" overcomes the 35 USC 101 rejection but raises objection to the specification. Applicant's representative agreed to amend the specification to provide antecedent basis for the term. Further consideration of Kanazawa will be required.

The applicants' statement of the substance of the interview required by the Interview Summary and MPEP 713.04 is as follows.

The attorney asked whether the rejection of claims 23 and 24 under 35 USC 112, second paragraph, relating to the term "ENAV" had been overcome by the Amendment of November 14, 2008. Messrs. Price and Zhen asked whether the applicants intend the term "ENAV" to cover the general concept of enhanced navigation (ENAV), or to cover the specific enhanced navigation specification that was nearing completion in mid 2003 as discussed in the passage entitled "WebDVD for the Rest of the World" on page 178 of J. Taylor et al., *DVD Demystified*, Third Edition, McGraw-Hill Professional, New York, January 31, 2006, ISBN 0071423966, that was quoted by the applicants on pages 15 and 16 of the Amendment of November 14, 2008. The attorney stated that the applicants intend the term "ENAV" to cover the general concept of enhanced navigation, which is displaying AV data in an interactive mode in a display window defined by a markup document together with additional content. The attorney stated that

examples of such an interactive mode are described, for example, in Sharpless, pp. 21 and 22, which was attached to the Amendment of November 14, 2008, and in paragraphs [0003], [0004], [0048], and [0061] of the specification of the present application as discussed on pages 20-23 of the Amendment of November 14, 2008. Messrs. Price and Zhen stated that this interpretation of the term "ENAV" overcomes the rejection of claims 23 and 24 under 35 USC 112, second paragraph. Messrs. Price and Zhen also stated that Mr. Price's interpretation of the term "ENAV" set forth in paragraph 20 on page 8 of the Office Action of November 14, 2008, is broader than the applicants' interpretation of the term "ENAV," and that the Mr. Price will use the applicant's interpretation in the next Office Action.

The attorney asked whether the rejection of claims 29 and 30 under 35 USC 112, second paragraph, in the Office Action of August 14, 2008, relating to the dependency of claim 29 had been overcome by the Amendment of November 14, 2008. Messrs. Price and Zhen stated that the rejection had been overcome.

The attorney asked whether the rejection of claims 19-22 under 35 USC 101 relating to the term "physical element" had been overcome by the Amendment of November 14, 2008. Messrs. Price and Zhen stated that the rejection had been overcome, but that Mr. Price would now be required to object to the specification pursuant to MPEP 608.01(o) for failing to provide proper antecedent basis for the term "electronic component" now recited in claims 19 and 29. Messrs. Price and Zhen stated that the applicants could overcome such an objection by amending the specification to provide antecedent basis for the term "electronic component."

The attorney asked whether the rejection of claims 1-3, 6, 8-15, 17, 25, 26, and 28 under 35 USC 102(b) as being anticipated by Sullivan; the rejection of claims 4, 5, 7, 16, 18-22, 27, 29, and 30 under 35 USC 103(a) as being unpatentable over Sullivan; the rejection of claim 23 under 35 USC 103(a) as being unpatentable over Kanazawa in view of Sullivan; and the rejection of claim 24 under 35 USC 103(a) as being unpatentable over Kanazawa in view of Sullivan and Silberschatz had been overcome by the Amendment of November 14, 2008. Messrs. Price and Zhen stated that these rejections had been overcome because, as pointed out by the applicants, what is being buffered in Sullivan is not a markup document.

The attorney pointed out that Mr. Price had relied on Kanazawa as a primary reference in the Office Action of December 23, 2008, issued in related copending Application No. 10/686,537. However, the attorney pointed out that it would not be appropriate for Mr. Price to continue to

rely on Kanazawa as a primary reference in any rejection of at least claim 23 of the present application or claim 24 of the present application depending therefrom because Kanazawa, as evidenced by at least FIGS. 19A and 19B of Kanazawa, does not disclose or suggest "an interactive mode selected by a user of the apparatus before the apparatus reproduces any of the AV data" as recited in claim 23 for the reasons discussed on pages 33-35 of the Amendment of November 14, 2008. Mr. Price stated that a cursory review of Kanazawa reveals that column 7, lines 10-45, of Kanazawa appears to support the applicants' position, but that further consideration of Kanazawa will be required before he can make a final decision regarding this matter.

Specification Amendments

Paragraph [0095] of the specification has been amended to provide antecedent basis for the term "electronic component" now recited in claims 19 and 29 as discussed during the interview to obviate the need for the Mr. Price to object to the specification pursuant to MPEP 608.01(o) for failing to provide such an antecedent basis. It is submitted that this amendment to paragraph [0095] is supported by at least paragraphs 33 and 42-44 of the specification as originally filed.

Conclusion

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

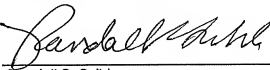
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with the filing of this paper, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

STEIN, MCEWEN & BUI, LLP

Date: 01/21/09

By: 
Randall S. Svihla
Registration No. 56,273

1400 Eye St., NW
Suite 300
Washington, D.C. 20005
Telephone: (202) 216-9505
Facsimile: (202) 216-9510